# Land Use Regulation & Agriculture

#### Colby Ferguson

Frederick County Business Development & Retention Division

#### Maryland Ag at a Glance

- Top Sectors: Poultry, Grain, Nursery/Greenhouse,
  Dairy
- Maryland produced 300,500,000 broilers in 2010 –
  8<sup>th</sup> in US for number of broilers produced
- Number of Farms 12,800
- · Land in Farms 2.05 million acres
- Average Farm Size 160 acres

## When You Think of Ag, You Probably Think of This











## But the end game is...



#### Right-to-Farm Ordinances

- A proactive way to prevent legal disputes between farm and non-farm neighbors
- Provides a measure of security for farmers that practice sound best management principles
- Maryland has a state right to farm statute and many counties have a their own RTF ordinances

## Right to Farm cont.

- The most comprehensive RTF ordinances all include the following:
  - · A Good Neighbor Policy
  - Key Definitions
  - Limitations of Actions
  - · Resolution of Disputes and Procedures
  - · An Agricultural Reconciliation Board
  - A No Standing Clause
  - · A Bad Faith Clause
  - Method of Notice

#### Governor's Intergovernmental Commission for Agriculture - GICA

Created by Executive Order in 2006

#### GICA's Mission:

The Commission shall work to promote the economic profitability of agriculture in the State by ensuring that all appropriate State agencies work in a cooperative, coordinated manner with local government and industry groups in planning, implementing, overseeing and evaluating intergovernmental initiatives related to agricultural affairs of the State.

**Published:** Understanding and Responding to the Changing Needs of Maryland Agriculture: A Toolkit for Local Communities



#### Storm water

- Ag was not at the table when the regs were first developed and our buildings had previously been exempt
- Previous storm water work was done by Soil Conservation
  Districts and for the most part was done well
- When ag became subject to the new regs the entire rulebook was applied even though special circumstances exist on most farm properties – ie. plenty of land to run storm water to and over
- MDE has worked with the farm community, especially poultry, to find accommodation but more work needs to be done.
- MDE and MDA have both said they intend to continue looking at environmentally sound and economically viable answers

## On-Farm Processing

- Creameries, butchering, wine/beer/alcohol (but we'll talk about that later!), bakeries, etc.
- Health Departments can and should work with these small operators to ensure safety without exaggerated requirements
- Local zoning should encourage, not discourage



## It's All About Scale



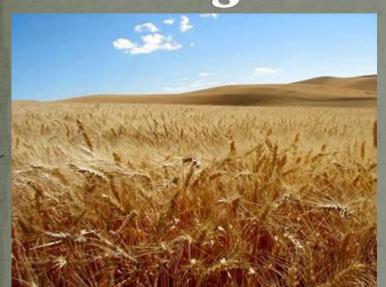


#### Farmers Markets

- Allow for locations in town centers, parking lots, easily accessible and open areas
- Statewide Producer Mobile Farmer's Market License 2010
- Allow for sampling of fresh produce



#### Everyone's Favorite Value-Added Agricultural Product...









## On-Farm Wineries

#### **Local Zoning for Farm Wineries**

Frederick County

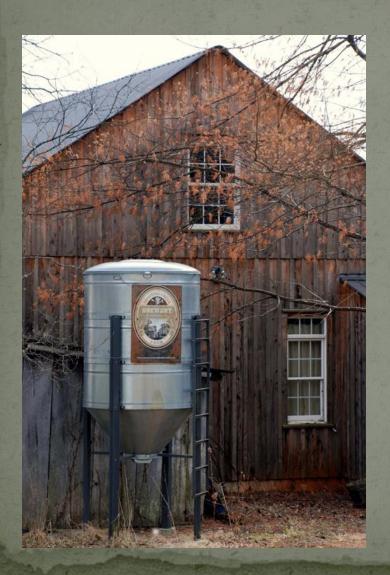
#### Maryland Winery Modernization Act - 2010

 Reduced requirements for sampling, allows for certain food offerings, allow for permits to sell at farmers markets





## On-Farm Breweries



- Local Zoning for On-Farm Breweries
- MD Farm Brewery License
  - 15,000 bbl/yr and made with an ingredient from the farm
  - May offer certain food items and beer sampling
  - May hold promotional events on site

#### Why Now?... Why Here?

- Our farmers are within driving distance of several major metropolitan regions: DC, Baltimore, Philadelphia, Wilmington, and even NYC
- Diversifying to spread the risk
- Bringing the next generation back to the farm
- A business opportunity away from corporate America even though they may have no previous connection to farming and agriculture
- More and more people want to know where their food is coming from and who produced it

#### Conclusions

- Maryland's tradtional agricultural operations remain the driving factors in our ag economy – we must ensure they are well supported through state regulations as well as local P&Z
- Maintain lines of communication with your local ag community
- Consider scale and scope when addressing the needs of the ag community
- Make local land use definitions broad enough to allow value-added Ag
- And...

Maryland Agriculture

#### Thank You!

#### **Colby Ferguson**

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301-600-3037